GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – WOMEN, CHILDREN, DISABLED AND SENIOR CITIZENS DEPARTMENT – Allegation of corruption of demand and acceptance of bribe against Sri Gajula Venkata Ramana S/o Late Venkatesu, Officer Superintendent, O/o Director, Welfare of Differently Abled, Transgender & Senior Citizens, A.P. Vijayawada and Asst. Director (FAC), Welfare of Differently Abled, Transgender & Senior Citizens, Guntur District – Trapped on 26-10-2020 – Sanction for Prosecution under the Prevention of Corruption Act, 1988 – Accorded – Orders – Issued.

WOMEN, CHILDREN, DISABLED AND SENIOR CITIZENS DEPARTMENT

G.O.Ms.No.6. Dated:13-03-2023.

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O R D E R:

WHEREAS, Sri Gajula Venkata Ramana S/o late Venkatesu, Office Superintendent, O/o Director of Welfare of Differently Abled, Transgender & Senior Citizens, A.P. Vijayawada, worked as Asst. Director (FAC), Welfare of Differently Abled, Transgender & Senior Citizens, Guntur District from 03-09-2019 to 26-10-2020 and by virtue of the post held by him, he falls under the category of a Public Servant as defined under section 2(c) of the Prevention of Corruption Act, 1988 (Act No.49 of 1988).

2. AND WHEREAS, Sri Raja Bharath, S/o Jagannadha Rao, aged 35 years, is native of Narasaraopet, Guntur District and does real estate business. In the year 1997, one Devarakonda Padma R/o Veerannapalem (V), Parchur Mandal, Prakasam District, and some others formed a society in the name of "Vivekananda Mahila Mandali" and got registered it by the "Registrar of Societies", Ongole. On 18-05-2016, the remaining members of the society elected him as the President of the said society and ever since he is acting as the President of "Vivekananda Mahila Mandali". In the recent past, they contemplated to run an old age home under the aegis of the said society in his house situated in the limits of Yellamanda (V) of Narasaraopet Mandal. Accordingly on 15-10-2020, he put forth an application to the Assistant Director, Department of Welfare of Differently Abled and Senior Citizens, Guntur requesting to issue a license to run the old age home. The Assistant Director has to inspect the proposed old age home and issue a license to run the same. On 16-10-2020, Sri Raja Bharath made a phone call from his mobile No. 9666260006 to mobile No. 9491353912 of Sri Gajula Venkata Ramana and briefed him about his application for a license to old age home. Sri Gajula Venkata Ramana informed him that he was outside and asked him to call back later. On 20-10-2020, Sri Raja Bharath again made a phone call to Sri Gajula Venkata Ramana and this time too Sri Gajula Venkata Ramana informed him that he was not available in the office. On 21-10-2020 after noon, when Sri Raja Bharath made a phone call to Sri Gajula Venkata Ramana, he enquired about the address of the proposed Old Age Home and asked to call him at 6.30 PM. Owing to the pressure of work, Sri Raja Bharath couldn't make a phone call to Sri Gajula Venkata Ramana on that day. On 22-10-2020 at 11.20 hours, Sri Gajula Venkata Ramana himself made a call to Sri Raja Bharath and informed him that at 3.30 PM, he would inspect the Old Age Home for which an application was filed for a license. Accordingly, at about 04.00 PM, Sri Gajula Venkata Ramana visited the proposed Old Age Home i.e. his house situated at Kotappakonda road, Yellamanda Village and inspected the same. While leaving his house, Sri Gajula Venkata Ramana asked "what about for him". He realized that Sri Gajula Venkata Ramana was expecting some bribe amount from him and immediately switched on the video recording mode on his cell phone. Then Sri Gajula Venkata Ramana asked him for diesel for his car and to pay Rs. 2,000/- (Rupees two thousand only) initially. Sri Gajula Venkata Ramana took Rs. 2,000/- (Rupees two thousand only) from him. Thereafter, Sri Gajula Venkata Ramana repeatedly asked him as to what would he do for obtaining the

certificate for running the old age home. Having been unwilling to pay the bribe amount to Sri Gajula Venkata Ramana, he replied that he thought that his work would be done freely. Then Sri Gajula Venkata Ramana said that Sri Raja Bharath has to get diesel filled in his vehicle and bring him to the "Old Age Home" actually, but he himself came for the inspection. Sri Gajula Venkata Ramana eventually demanded Sri Raja Bharath to pay Rs.10,000/- (Rupees ten thousand only). Although he was not willing to pay the bribe amount, to escape, for the time being, he asked Sri Gajula Venkata Ramana as to when should he met him at Guntur. Sri Gajula Venkata Ramana asked him to come on Monday as the staff went on leave. He then felt that Sri Gajula Venkata Ramana would not leave him if he doesn't pay the bribe amount and decided that it is better to lodge a report with ACB instead of paying the amount to Sri Gajula Venkata Ramana. He copied (1) the recorded video conversation that took place between him and Sri Gajula Venkata Ramana on 22-10-2020 at 4 PM regarding the demand of a bribe of Rs. 10,000/- (Rupees ten thousand only) by Sri Gajula Venkata Ramana when he inspected the old age home and (2) the recorded voice conversation that took place between him and Sri Gajula Venkata Ramana on 23-10-2020, into a CD from his cell phone. As Sri Raja Bharath was not willing to pay the bribe amount to Sri Gajula Venkata Ramana, on 23-10-2020 he submitted a typed report to DSP, ACB, Guntur enclosing the CD and copy of the Minutes/Resolution of the Vivekananda Mahila Mandali Society regarding his election as President and requested to take necessary action against Sri Gajula Venkata Ramana. After following due procedure, the DSP, ACB, Guntur registered the complaint of Sri Raja Bharath as a case in Cr.No.09/RCT-ACB-GNT/2020 U/s 7(a) of the Prevention of Corruption Act, 1988 of ACB, on 26-10-2020 and made arrangements for laying trap.

3. AND WHEREAS, after completion of pre trap proceedings in O/o the Addl. Supdt. of Police, ACB, Guntur District, the trap party left the ACB office at 12.40 hours and reached the vicinity of the A.P. Govt. Hostel for Differently Abled located at 4th lane, Brundavan Garden, Guntur at 12.55 hours and took vantage positions. Sri Raja Bharath entered the premises of the A.P. Govt. Hostel for Differently Abled at 13.00 hours. At 13.20 hours, Sri Raja Bharath gave the pre-arranged signal by wiping his face with his handkerchief indicating the further demand and acceptance of the bribe by the Asst. Director Sri Gajula Venkata Ramana to Sri Ch. Ravi Babu, Inspector, who relayed the same to the other members of the trap party. Immediately all members of the trap party headed by DSP and the mediators rushed into the premises of A.P. Govt. Hostel for Differently Abled and found Sri Raja Bharath in front of the building housing the dining hall & kitchen of the said hostel. Sri Raja Bharath informed the DSP that Sri Gajula Venkata Ramana, Asst. Director had reduced the bribe amount at his request and accepted Rs. 5,000/- (Rupees five thousand only) and was present alone in his office room, situated in the south-west corner of the building housing the dining hall & kitchen of the AP Govt. Hostel for Differently Abled. Then the DSP along with the mediators and other trap members rushed into the building housing the dining hall & Kitchen and found one person sitting alone in the room situated on the south-west corner. The DSP disclosed his identity and ascertained the identity of the said person as Sri Gajula Venkata Ramana. The DSP organized chemical test to both hand fingers of Sri Gajula Venkata Ramana and both the hand fingers yielded positive result. On questioning about the bribe amount, Sri Gajula Venkata Ramana voluntarily took out a wad of 10 currency notes of Rs.500/- denomination from his left side upper shirt pocket which he received from Sri Raja Bharath as bribe amount. The mediators counted and compared the numbers and denominations of the currency notes which were already noted in the pre-trap proceedings and found them tallied with the denomination and serial numbers of currency notes figures serial numbers 1 to 10 denoted in the mediators report-1 (Pre-trap proceedings). The inner linings of the upper left side pocket of shirt of Sri Gajula Venkata Ramana when tested in sodium carbonate solution, it yielded positive in the chemical test. The DSP seized the said tainted currency notes of Rs. 5,000/- along with shirt of Sri Gajula Venkata Ramana and 3 sealed bottles containing the chemical washes. When the DSP asked Sri Gajula Venkata Ramana about his accepting Rs.2,000/- from Sri Raja Bharath on 22-10-2020 on the pretext of Diesel to his vehicle, he remained silent. The file pertaining to

Sri Raja Bharath was recovered from Smt. B. Vijaya Kumari, Clerk-cum-Typist, B-Section of the O/o Asst. Director, Welfare of Differently Abled, Transgender & Senior Citizens, Guntur at the instance of Sri Gajula Venkata Ramana. The DSP, ACB, Guntur got Photostat copy of the file containing 06 sheets and seized the same after getting duly attested by the mediators and Dy. Director, O/o the Director of Welfare of Differently Abled, Transgender & Senior Citizens, AP, Vijayawada and the DSP, ACB, Guntur. The DSP also seized the Inward Register wherein the entry regarding the receipt of application of Sri Raja Bharath was made at Sl.No. 476 on 15-10-2020. Similarly, in the Certificates Issue Register for NGOs 52 & OAH, 2020-2021, the entry regarding the application to run old age home by Vivekananda Mahila Mandali was made at Sl.No.4 against which the office stamp of the Asst. Director of Welfare of Differently Abled, Transgender & Senior Citizens, Guntur. The DSP also seized copy of G.O.Ms.No.49, Dt. 28-12-2011 of the Department for Women, Children, Disabled and Senior Citizens (DW), Govt. of AP which was provided by the Office Superintendent Smt. Suvartha and also seized the relevant records and examined relevant witnesses.

4. AND WHEREAS, the above said acts of Sri Gajula Venkata Ramana, Office Superintendent, O/o Director of Welfare of Differently Abled, Transgender & Senior Citizens, A.P. Vijayawada and Asst. Director (FAC), Department of Welfare of Differently Abled, Transgender & Senior Citizens, 4th Lane, Brundavan Gardens, Guntur, constitute offences punishable under section 7(a) of the Prevention of Corruption Act,1988.

5. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Sri Gajula Venkata Ramana, Office Superintendent, O/o Director of Welfare of Differently Abled, Transgender & Senior Citizens, A.P. Vijayawada and Asst.Director (FAC), Welfare of Differently Abled, Transgender & Senior Citizens, Guntur District from service after fully and carefully examining the material (i.e. F.I.R., Mediator Reports-I & II, final investigation report from the DG, ACB, Vijayawada) placed before them in respect of the said allegations and having regard to the facts and circumstances of the case considered that Sri Gajula Venkata Ramana, Office Superintendent, O/o Director of Welfare of Differently Abled, Transgender & Senior Citizens, A.P. Vijayawada and Asst.Director (FAC), Welfare of Differently Abled, Transgender & Senior Citizens, Guntur should be prosecuted in a Court of Law.

6. NOW THEREFORE, in exercise of the powers conferred under Clause (b) of Sub-section (1) of Section 19 of the Prevention of Corruption Act, 1988., the Government of Andhra Pradesh hereby accorded sanction for the prosecution of Sri Gajula Venkata Ramana, Office Superintendent, O/o Director of Welfare of Differently Abled, Transgender & Senior Citizens, A.P. Vijayawada and Asst. Director (FAC), Welfare of Differently Abled, Transgender & Senior Citizens, Guntur District for the above said offence punishable under Sections 7(a) of the prevention of Corruption Act, 1988, and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

(MUDDADA RAVI CHANDRA)
PRINCIPAL SECRETARY TO GOVERNMENT

Principal Secretary to Govt.
Dept. for W.C.D.A & S.C.
A. P. Secretariat, Velagapudi

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh,
VIJAYAWADA.

Copy to:-
Law (E) Department.
SF/SCs.